



General Assembly

January Session, 2007

Substitute Bill No. 7019

* _____HB07019ENV____032207_____*

AN ACT CONCERNING THE TREATMENT OF ELEPHANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
2 section:

3 (1) "Circus" means a performance by a live animal, clown or acrobat
4 pursuant to a class C license issued in accordance with the provisions
5 of the Animal Welfare Act, 7 USC 2131 et seq., as amended from time
6 to time;

7 (2) "Person" means an individual, sole proprietorship, trust,
8 corporation, limited liability company, union, association, firm,
9 partnership, committee, club or other organization or group; and

10 (3) "Traveling show" means a circus, public show, trade show,
11 photographic opportunity, carnival, city or county fair, agricultural
12 fair, ride, parade, race, performance or a similar event at which
13 elephants do not permanently reside or that moves elephants to
14 different locations. For purposes of this section, a traveling show does
15 not mean the transportation of elephants for the purpose of obtaining
16 required medical services for such elephants or for the exchange of
17 elephants between sanctuaries.

18 (b) A person who houses, possesses, is in contact with or travels

19 with any elephant kept at a stationary facility or utilized in a circus or
 20 traveling show within the state shall be guilty of harming an elephant
 21 when such person uses any implement or device on an elephant that
 22 may reasonably be expected to result in harm to the elephant,
 23 including, but not limited to, the damage, scarring or breakage of such
 24 elephant's skin. For purposes of this subsection, any implement or
 25 device that is used, purchased, contrived or constructed for the
 26 purpose of shocking, poking, striking, hitting, stabbing, piercing or
 27 pinching the skin of an elephant, including, but not limited to, an
 28 electric prod, a bullhook, and ankus or other similar device, shall be
 29 construed as an implement or device which may reasonably be
 30 expected to result in damage, scarring or breakage of an elephant's
 31 skin.

32 (c) A person who houses, possesses, is in contact with or travels
 33 with any elephant kept at a stationary facility or utilized in a circus or
 34 traveling show within the state shall be guilty of possession of a device
 35 which may be used to harm an elephant when such person possesses a
 36 device that that is used, purchased, contrived or constructed for the
 37 purpose of shocking, poking, striking, hitting, stabbing, piercing or
 38 pinching the skin of an elephant, including, but not limited to, an
 39 electric prod, a bullhook, an ankus or other similar device.

40 (d) Harming an elephant pursuant to subsection (b) of this section
 41 shall be a class A misdemeanor. Each day such violation continues
 42 shall be a separate and distinct offense.

43 (e) Possession of a device which may be used to harm an elephant
 44 pursuant to subsection (c) of this section shall be a class B
 45 misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

ENV *Joint Favorable Subst.*